

FISCAL NOTE

SB 140 - HB 107

February 23, 2007

SUMMARY OF BILL: Increases the penalty for the offense of allowing vicious dogs to run at large from a Class C misdemeanor in all cases to a Class A misdemeanor if a victim suffers property damage. If bodily injury occurs, the offense will be punishable as a Class E felony. If serious bodily injury or bodily injury to more than one person occurs, the offense will be punishable as a Class D felony. If death occurs, the offense would be a Class C felony.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$105,500 / Incarceration*

Increase Local Govt. Revenues – Not Significant

Increase Local Govt. Expenditures – Not Significant

Assumptions:

- According to the Administrative Office of the Courts, there has been an average of four trial court convictions for the offense of allowing dogs to run at large for the past five years. Total convictions, including general sessions courts, are estimated to be an average of 40 per year.
- Two persons will be convicted for the Class E felony offense of allowing vicious dogs to run at large that results in bodily injury and will serve 0.3 years (109.58 days) as a result of this bill. No significant incarceration cost increase will occur due to population growth in this period.
- According to DOC, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The cost per inmate at 0.3 years is \$6,592.33 (\$60.16 x 109.58 days). The additional operating cost for 2 offenders per year is \$13,184.66 (\$6,592.33 x 2).
- Four persons will be convicted for the offense of allowing vicious dogs to run at large that results in serious bodily injury or bodily injury to more than one person as a result of this bill. Four offenders will serve 0.6 years (219.15 days). The cost per inmate at 0.6 years is \$13,184.06 (\$60.16 x 219.15 days). The additional operating cost for 4 offenders per year is \$52,736.24 (\$13,184.06 x 4).
- Two persons will be convicted for the Class C offense of allowing vicious dogs to run at large that results in death as a result of this bill and will

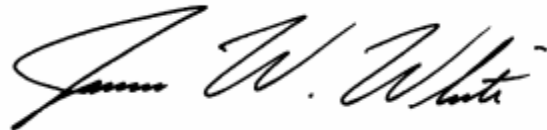
serve 0.9 years (328.73 days). The cost per inmate is \$19,776.10 (\$60.16 x 328.73 days). The additional operating cost for two offenders per year is \$39,552.20 (\$19,776.10 x 2).

- There will not be a sufficient additional number of prosecutions for local governments to experience any significant increase in revenues or expenditures.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with a large initial "J" and "W".

James W. White, Executive Director